UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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| LEMOND CYCLING, INC.,<br><br>Plaintiff,<br><br>v.<br><br>TREK BICYCLE CORPORATION,<br><br>Defendant and Third-Party Plaintiff,<br><br>v.<br><br>GREG LEMOND,<br><br>Third-Party Defendant. | Case No. 08-CV-1010 (RHK-JSM)<br><br>**DECLARATION OF RALPH A. WEBER IN SUPPORT OF TREK'S MOTION FOR PROTECTIVE ORDER** |

STATE OF WISCONSIN )
:SS.
COUNTY OF MILWAUKEE )

I, RALPH A. WEBER, declare as follow:

I am an adult resident of the State of Wisconsin and one of the lawyers for defendant Trek Bicycle Corporation ("Trek") in this action. I make this Declaration on personal knowledge and in support of Trek's Motion for Protective Order to Prevent from Disclosure Information and Communications Related to Public Strategies, Inc.

1. I attach as **Exhibit A** a true and correct copy of an article published in the weekend (November 24-25, 2007) edition of Het Laatste Nieuws, along with an English translation of the article procured by Trek.

2. I attach as **Exhibit B** a true and correct copy of an article published on-line in De Volksrant on January 8, 2008, along with an English translation of the article procured by Trek.

3. I attach as **Exhibit C** a true and correct copy of an article published on-line in the San Jose Mercury News on February 15, 2008, which was obtained via the internet.

4. I attach as **Exhibit D** true and correct copies of certain pages from the transcript of the deposition of Warren Gibson, taken on March 17, 2009.

5. On April 3, 2008, Gass Weber Mullins LLC ("GWM") retained Public Strategies, Inc. as a consultant to assist in this litigation. I attach as **Exhibit E** a true and correct copy of a "**CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**" between GWM and Public Strategies, Inc., effective as of April 3, 2008.

6. Pursuant to our retention, Public Strategies assisted GWM and Trek with developing a response to LeMond's lawsuit, which had been served on Trek in late March 2008. Public Strategies provided input on Trek's Complaint that was filed in the Western District of Wisconsin and contributed to additional legal decisions made by GWM as counsel for Trek. I shared my mental impressions and other confidential information with Public Strategies, who, in turn, did the same with me, with the goal of making sure that Trek's litigation message was clear and in conformity with its legal strategy in this action. The input of Public Strategies was beneficial to our law firm's legal advice to Trek.

7. I attach as **Exhibit F** a true and correct copy of Plaintiffs' Third Set of Interrogatories and Requests for Production of Documents to Trek, which are dated April 17, 2009. In response to these requests, I informed counsel for Plaintiffs that Trek objects to Request for Production No. 31 because it seeks irrelevant information and any responsive documents are protected by the work product privilege and attorney-client privilege. Despite the parties' good faith attempts to resolve our differences about the discoverability of Public Strategies-related documents and communications, including multiple telephone calls on the issue, we are unable to resolve our differences without court intervention.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 2009.

/s/ Ralph A. Weber
Ralph A. Weber (WI SBN 1101563 )

GASS WEBER MULLINS LLC

309 North Water Street, Suite 700
Milwaukee, WI 53202
Telephone: (414) 223-3300
Fax: (414) 224-6116

**ATTORNEY FOR DEFENDANT AND THIRD-PARTY PLAINTIFF TREK BICYCLE CORPORATION**